

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JEOVANNY GARCIA, et al.,

Plaintiffs,

- against -

AKR CORPORATION, et al.,
Defendants.

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**ORDER ADOPTING REPORT
AND RECOMMENDATION**
11-CV-6184 (RRM) (RLM)

ROSLYNN R. MAUSKOPF, United States District Judge.

By Motion filed on July 6, 2012, plaintiffs Jeovanny Garcia, Melvin Ivan Chavez, and Niceforo Martin Bautista moved for default judgment against defendant Wyckoff Food Corporation.¹ (Doc. No. 25.) By Order entered on July 11, 2012, this Court referred that motion to the assigned Magistrate Judge, the Honorable Roanne L. Mann, for a Report and Recommendation. On January 10, 2013, Judge Mann issued a Report and Recommendation (“R&R”) recommending that plaintiffs’ motion for default judgment on liability against Wyckoff Food Corporation be granted and that the inquest on damages be deferred pending the resolution of plaintiffs’ claims against the non-defaulting defendants. (Doc. No. 59.) Judge Mann reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due on or before January 28, 2013. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is hereby ORDERED that default judgment on liability enter in favor of plaintiffs against Wyckoff Food Corporation. Upon resolution of plaintiffs’ claims against the non-defaulting defendants, the

¹ Plaintiffs also sought default judgment against Ghulem Mohammed, but withdrew their motion after Mohammed appeared in this action. (*See* Endorsed Order dated July 25, 2012 (Doc. No. 34).).

Court will determine the damages, if any, to which plaintiffs are entitled from Wyckoff Food Corporation.

The Clerk of the Court is directed to transmit a copy of this Order to Wyckoff Food Corporation at the following address:

Wyckoff Food Corp., d/b/a Palace Fried Chicken
285 Wyckoff Avenue
Brooklyn, NY 11237

SO ORDERED.

Dated: Brooklyn, New York
February 24, 2013

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge